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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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The Village of Pomona,

09 Civ. 0660 (KMK)(LMS)

Plaintiff(s),

-against-

ORDER

Highgate Development Corp., et al.,

Defendant(s),

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It having been reported to this Court that the above entitled action has been settled,

IT IS ORDERED that the action be, and the same hereby is, discontinued with prejudice but without costs; provided, however, that if settlement is not consummated within 45 days of the date of this order, either party may apply by letter for restoration of the action to the calendar of the undersigned. Any such application must be made before the 45 days have expired, or it will be denied. Any such application timely made will be granted.



Kenneth M. Karas, U.S.D.J.

Dated: White Plains, New York
February 22, 2010